



## **CHAPTER XIII (DISCIPLINE & AWARDS)**

### **Article 83 (Grounds for Impeachment and Discipline)**

The President, officers, or directors of the Corporation may be subject to impeachment, dismissal, or disciplinary action by a resolution of the Board of Directors if they commit any of the following acts or fall under any of the following categories:

#### **Section 1 (Criminal and Legal Grounds)**

1. An individual who has been convicted of a felony and received a final judgment resulting in a sentence of imprisonment.
2. An individual who has been placed under guardianship or limited guardianship by a court's decision.

#### **Section 2 (Incapacity to Perform Duties)**

1. An individual who has been diagnosed with a mental or physical condition that renders them permanently incapable of performing the essential functions of their position, as confirmed by medical opinion.
2. An individual who, despite reasonable accommodation efforts, is deemed permanently incapable of fulfilling their duties for a period of six (6) months or more, as evaluated from a medical or legal perspective.

#### **Section 3 (Misconduct and Ethical Violations)**

1. An individual who has embezzled, misappropriated, or engaged in a significant violation in the use of corporate funds.
2. An individual who has committed financial misconduct, including bribery, embezzlement, or improper solicitation, which have caused significant harm or damage to the Corporation or society.
3. An individual who has obstructed or hindered the implementation of the Bylaws or any lawful operations of the Corporation.



4. An individual whose actions, as determined by a resolution of the Board, have deemed to damage or tarnished the reputation of the Corporation.

#### **Section 4 (Conflict of Interest and Abuse of Power)**

1. An individual who has participated in activities that present a conflict of interest detrimental to the Corporation's interests or reputation.
2. An individual who has participated as an officer, director, or advisor of any organization that is in competition with the Corporation or whose interests are in direct conflict with those of the Corporation.
3. An individual who has abused their position to unfairly use internal information or resources for personal gain, or to the detriment of the Corporation.

#### **Section 5 (Negligence and Incompetence)**

1. An individual who, without just cause, has failed to attend three (3) consecutive Board meetings or more than 50% of such meetings in a year.
2. An individual who has failed to perform their duties adequately, thus hindering the operation of the Corporation.

#### **Section 6 (Breach of Confidentiality and Substance Abuse)**

1. An individual who has disclosed confidential information of the Corporation without proper authorization, thereby causing harm or risk to the Corporation.
2. An individual whose substance abuse (whether drugs or alcohol) has impaired their ability to effectively perform their duties, as determined by medical evaluation.

#### **Section 7 (Falsification of Documents and Forgery)**

1. An individual who has intentionally falsified, manipulated, or forged the Corporation's official documents.
2. An individual who has used the Corporation's name without authorization, causing harm or damage to the Corporation.

#### **Section 8 (Illegal Activities)**



1. An individual who has engaged in any illegal activity that contradicts the purpose of the Corporation, including but not limited to violations of U.S. federal law, California state law, South Korean law, or any other relevant local, regional, or municipal laws within the Jurisdiction of the Corporation.

## **Article 84 (Disciplinary Measures and Sanctions)**

### **Section 1 (Principles of Disciplinary Actions)**

The Corporation shall evaluate and determine appropriate disciplinary actions against individuals subject to impeachment or dismissal in accordance with the Bylaws. The severity of the disciplinary action shall be determined based on the following factors:

1. **Severity of the Violation:** The extent to which the violation has affected the Corporation, its members, or its reputation shall be assessed, including whether it was an isolated incident or a recurring offense.
2. **Intent and Motivation:** Whether the violation was intentional, the result of negligence, or for personal gain shall be evaluated.
3. **Extent of Damage:** The financial loss, reputational harm, operational inefficiencies, and the impact on members and stakeholders shall be considered.
4. **Disciplinary History:** Any prior violations, previous warnings, and corrective measures shall be reviewed.
5. **Mitigating Factors:** The individual's remorse, cooperation with the investigation, efforts to remedy the harm, corrective actions taken, and measures to prevent future violations shall be taken into account when determining the severity of the disciplinary action.

### **Section 2 (Types of Disciplinary Actions)**

Based on the assessment, one or more of the following disciplinary actions may be imposed:

1. **Warning:** A formal written notice outlining the violation and requiring corrective action.
2. **Suspension:** Temporary removal from duties for a specified period.
3. **Demotion:** Reduction in position or responsibilities.



4. **Dismissal:** Removal from office, with the revocation of all rights and privileges related to the position.
5. **Impeachment:** Permanent removal from office, revoking all rights and privileges associated with the position.
6. **Expulsion:** Permanent termination of membership and all associated rights.

### **Section 3 (Legal Violations)**

If an officer, director, or employee of the Corporation is found to have committed a legal violation, the Corporation shall cooperate with the relevant authorities, and the individual may be subject to civil or criminal penalties. Disciplinary actions under the Bylaws are separate from any legal proceedings and do not affect the individual's liability under applicable law.

### **Section 4 (Sentencing Guidelines)**

Specific sentencing guidelines for each violation shall be stipulated in the disciplinary regulations of the Human Resources Committee, and such regulations may be amended as necessary. The Board of Directors shall have the authority to review and modify the sentencing guidelines as necessary.

## **Article 85 (Disciplinary Procedures)**

### **Section 1 (Request for Disciplinary Action & Investigation)**

1. Upon request by the Executive Committee, the Board of Directors, or at least 50 members, the Human Resources Committee of the Corporation shall investigate any violation of the Bylaws by an officer, director, or member.
2. The Human Resources Committee shall document the findings in the *Bylaws Violation Report* and submit it to the Board of Directors.

### **Section 2 (Initiation of Proceedings)**

1. The Board of Directors, in a joint meeting with the Human Resources Committee, shall review the report and discuss the violations. Based on the discussions, the Board shall



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## Silicon Valley Korean American Federation

determine whether to proceed with a vote on disciplinary action or impeachment or to convene a second meeting for further deliberation.

2. The disciplinary action or impeachment of the Chairperson and the President must be specifically discussed and deliberated upon in a second disciplinary and impeachment meeting. The concerned individual shall be allowed to present their case for up to thirty (30) minutes in their defense before a final vote is conducted.

### **Section 3 (Voting Requirements)**

1. The impeachment or disciplinary action against the Chairperson or President requires the presence of at least two-thirds (2/3) of the total directors and approval by at least two-thirds (2/3) of those present.
2. The impeachment or disciplinary action against other officers or directors requires a quorum of a majority of the total directors, with at least two-thirds (2/3) of those present voting in favor.
3. The impeachment or disciplinary action against general members requires a quorum of a majority of the total directors, with approval by a majority of those present.
4. Any individual subject to disciplinary action or impeachment may appeal the decision to the Mediation Commission.

### **Section 4 (Public Announcement of Resolutions)**

Following the resolution of disciplinary action and impeachment, the Board of Directors shall publicly announce the decisions regarding the Chairperson and President within five (5) days through at least two major Korean-American media outlets in the U.S. and the official website of the Corporation or its official social media channels.

## **Article 86 (Reward)**

### **Section 1 (General Principles of Awards)**

The Corporation shall recognize and reward individuals who have made significant contributions to the Corporation's mission and the advancement of the Korean-American community through exemplary civic engagement, leadership, or volunteer service.



**Section 2 (Award Criteria & Procedures)**

Specific award categories, eligibility criteria, nomination procedures, approval processes, and presentation methods shall be defined in the Human Resources Committee regulations. The Board of Directors may review and update these provisions as necessary.

**Section 3 (Certificates of Appreciation)**

The President and the Chairperson of the Board of Directors may issue Certificates of Appreciation at their discretion to recognize specific contributions.